

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.505 of 2015

Arising Out of PS.Case No. -164 Year- 2014 Thana -MITHANPURA District- MUZAFFARPUR

- =====
1. Sita Devi W/o Late Munna Mahto
 2. Pankaj Mahto S/o Late Munna Mahto
- Both Resident of Mohalla - Jail Chowk, P.S. Mithapur, District –
Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 03-02-2015

Heard learned counsels for the petitioners

and the State.

The petitioners being the mother and brother of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 307/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act. Subsequently section 304B IPC was also added.

It is alleged that the daughter of the informant has been killed after two years of the marriage by causing burnt injury for non-fulfillment of the dowry demand. It is submitted by learned counsel for the petitioners that during investigation it was found that petitioner was no. 1 was at her tea

stall and was not present at the place of occurrence. The petitioners claimed that they are separate from the husband of the victim and petitioner no. 2 also helps in running the tea stall.

Considering the fact that accusation is not specific and thrust of accusation is against the husband of the victim, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate (East), Muzaffarpur in connection with Mithanpura P.S. Case No. 164 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned court below on filing affidavit that they will co-operate in the investigation. The non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

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